

Defendant Mars Proposed Jury Verdict Slip

**No. 1- Discrimination**

1. Do you find that Plaintiff proved by a preponderance of the evidence that she was separated from the employment of Mars because of her gender.

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to the above question is Yes, go on to the next question.

If your answer to the above question is No, you need not proceed further on this claim, but should find for Defendant.

2. Has Mars articulated a legitimate business reason for its decision to let Plaintiff go?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to the above question is Yes, go on to the next question.

If your answer to the above question is No, you need not proceed further on this claim, but should find for Defendant.

3. Do you find by a preponderance of the evidence, that Plaintiff has proved that Mar's legitimate business reason was false and a pretext for discrimination?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to the above question is Yes, proceed to the issue of damages.

If your answer to the above question is No, you need not proceed further on this claim, but should find for Defendant.

**No. 2- Retaliation**

1. Do you find that Plaintiff proved by a preponderance of the evidence that she engaged in protected activity before she left the employ of Mars.

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to the above question is Yes, go on to the next question.

If your answer to the above question is No, you need not proceed further on this claim, but should find for Defendant.

2. Do you find that Plaintiff proved by a preponderance of the evidence that she was separated by Mars because she engaged in protected activity.

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to the above question is Yes, go on to the next question.

If your answer to the above question is No, you need not proceed further on this claim, but should find for Defendant.

3. Has Mars articulated a legitimate business reason for its decision to let Plaintiff go?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to the above question is Yes, go on to the next question.

If your answer to the above question is No, you need not proceed further, but should find for Plaintiff.

4. Do you find by a preponderance of the evidence, that Plaintiff has proved that Mar's legitimate business reason was false and a pretext for discrimination?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to the above question is Yes, proceed to the issue of damages.

If your answer to the above question is No, stop at this point and find for Mars.

### **No. 3- Damages**

1. If you have found for Plaintiff on any of the claims, what amount of damages will fairly compensate her?

\$ \_\_\_\_\_

If you have not found for Plaintiff on any count, ignore this question. If you answered this question, proceed to the next question.

2. If you found for Plaintiff, did you find by a preponderance of the evidence that Plaintiff failed to mitigate her damages.

Yes \_\_\_\_\_ No \_\_\_\_\_

3. If your answer to the above question is Yes, you must reduce the award of damages by the amount Plaintiff could have obtained if she had mitigated her damages by taking advantage of an employment opportunity that was reasonably available to her. By what amount should Plaintiff's damages be reduced?

\$ \_\_\_\_\_

If you have not found for Plaintiff on any count, ignore this question.